

AMENDED IN SENATE APRIL 20, 2004

SENATE BILL

No. 1426

Introduced by Senator Ducheny

February 19, 2004

An act to add Section 5024.5 to the Penal Code, relating to correctional facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1426, as amended, Ducheny. Department of Corrections: drug utilization.

Existing law authorizes the Department of Corrections to adopt regulations requiring manufacturers of drugs to pay the department a rebate for the purchase of drugs for offenders in state custody and to implement other cost-effective strategies for the procurement of drugs and medical supplies for offenders in state custody, as specified.

This bill would require the department to adopt policies ~~and, procedures for drug utilization that will optimize efficacy and cost efficiency within the correctional system, and criteria to identify selected medication categories for the development of utilization protocols based on best practices, and the use of generic and therapeutic substitutes, as appropriate, and to develop utilization and treatment protocols based on, among other criteria, the cost of medications,~~ in coordination with the Department of General Services' prescription drug bulk purchasing program, ~~and to adopt best practices standards for pharmaceuticals established by recognized professional health care organizations, as specified.~~ The bill would require the department to report to the Legislature ~~no later than December 1, 2005 as part of the fiscal committee budget hearings on or before April 1, 2006,~~ on the impact of the adoption of these policies and procedures.

The bill would state that it is the intent of the Legislature that the department complete the implementation of these provisions ~~by June 30, 2005~~, utilizing the existing resources of the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5024.5 is added to the Penal Code, to
2 read:

3 5024.5. (a) The Department of Corrections shall adopt
4 ~~policies and procedures for drug utilization that will optimize~~
5 ~~efficacy and cost efficiency within the correctional system.~~

6 ~~(b) policies, procedures, and criteria to identify selected~~
7 ~~medication categories for the development of utilization protocols~~
8 ~~based on best practices, and the use of generic and therapeutic~~
9 ~~substitutes, as appropriate.~~

10 (b) *The department shall develop utilization and treatment*
11 *protocols for select medication categories based on defined*
12 *priority criteria, including, but not limited to, the cost of the*
13 *medications.*

14 (c) *On or before April 1, 2006, the department shall provide*
15 *information, as part of the fiscal committee budget hearings for the*
16 *2006–07 budget year, on the impact of the adoption of these*
17 *protocols.*

18 (d) The department shall coordinate the implementation of this
19 section with the Department of General Services' prescription
20 drug bulk purchasing program pursuant to Chapter 12
21 (commencing with Section 14977) of Part 5.5 of Division 3 of
22 Title 2 of the Government Code, in order to better achieve the goals
23 and intent of that program.

24 ~~(e) (1) The department shall adopt best practices standards for~~
25 ~~pharmaceuticals established by recognized professional health~~
26 ~~care organizations.~~

27 ~~(2) At a minimum, the best practices standards shall address the~~
28 ~~following:~~

29 ~~(A) Utilization and prescription of generic medications.~~

30 ~~(B) Cost effective policies regarding the procurement and~~
31 ~~prescription of medications.~~

1 ~~(C) Policies to assure that medications are being prescribed~~
2 ~~consistent with community standards.~~

3 ~~(D) Treatment algorithms for specified classes of drugs~~
4 ~~consistent with community standards.~~

5 ~~(d) The department shall report to the Legislature no later than~~
6 ~~December 1, 2005, on the impact of the adoption of these policies~~
7 ~~and procedures.~~

8 (e) It is the intent of the Legislature that the department shall
9 complete the implementation of this section ~~by June 30, 2005,~~
10 utilizing the existing resources of the department.

